



INTERIOR BOARD OF INDIAN APPEALS

Tommy Tinker Henderson v. Acting Eastern Oklahoma Regional Director,
Bureau of Indian Affairs

41 IBIA 137 (07/21/2005)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

TOMMY TINKER HENDERSON,
Appellant,

v.

ACTING EASTERN OKLAHOMA
REGIONAL DIRECTOR, BUREAU
OF INDIAN AFFAIRS,
Appellee.

: Order Docketing and
: Dismissing Appeal
:
:
: Docket No. IBIA 05-75-A
:
:
: July 21, 2005

On May 17, 2005, the Board received a notice of appeal from Tommy Tinker Henderson (Appellant), pro se. Appellant sought review of an April 15, 2005, decision of the Acting Eastern Oklahoma Regional Director, Bureau of Indian Affairs (Regional Director), affirming the Osage Agency Superintendent's decision to distribute the Trust of John L. Rubel, deceased unallotted Osage.

Appellant's notice of appeal did not indicate that he had served copies on all known interested parties, the Regional Director, and the Assistant Secretary - Indian Affairs, as required by 43 C.F.R. § 4.333. On May 18, 2005, the Board ordered Appellant, on or before June 10, 2005, to comply with those service requirements and to file a statement with the Board that he had done so. The Board advised Appellant that failure to comply with the May 18, 2005, order may result in summary dismissal of this appeal without further notice.

The Board has received no response from Appellant.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docketed this appeal but dismisses it for failure to prosecute.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Anita Vogt
Senior Administrative Judge